11/15/20 COR

Wetlands Applications Decision Report

Decisions Taken
01/06/2020 to 01/12/2020

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT
****

2014-02757 **DUMMER, TOWN OF**

DUMMER AMMONOOSUC RIVER

Requested Action:

Request permit time extension to dredge and fill 3,010 square feet of the bed and banks of the Upper Ammonoosuc River, a perennial stream, to replace an existing 65' steel beam bridge with an 80' single span steel girder bridge. Work in jurisdiction includes 2,048 square feet of temporary impacts.

****

APPROVE TIME EXTENSION
Dredge and fill 3,010 square feet of the bed and banks of the Upper Ammonoosuc River, a perennial stream, to replace an existing 65' steel beam bridge with an 80' single span steel girder bridge. Work in jurisdiction includes 2,048 square feet of temporary impacts.

With Conditions:
1. All work shall be in accordance with plans by Quantum Construction Consultants, LLC. entitled Town of Dummer, NH: Old Route 110 Over Upper Ammonoosuc River (Sheets WIP and WIP2) as received by the Department on December 12, 2014.
2. The Town of Dummer shall obtain easements from any affected landowners and shall supply copies of the easements to DES Wetlands File No. 2014-02757 prior to construction.
3. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
7. The permitee shall use best management practice to minimize the likelihood of introducing invasive plants, weedy species such as purple loosestrife (Lythrum salicaria) and common reed (Phragmites australis), into new areas.
8. No equipment shall enter the water.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. Areas of temporary impact shall be restored to original conditions following the completion of work.

20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
25. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:
1.The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2.This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2016-01816 **MANCHESTER**

MANCHESTER Unnamed Wetland

Requested Action:

Dredge and fill 3,585 square feet of palustrine forested wetland and intermittent stream (tributary to Cohas Brook) and temporarily impact an additional 28,800 square feet/115 linear feet to construct the City of Manchester, Cohas Brook Sewer Project-Contract 4.

****

Conservation Commission/Staff Comments:
8-19-16 - Additional information needed per DHR.

APPROVE AMENDMENT
Dredge and fill 3,585 square feet of palustrine forested wetland and intermittent stream (tributary to Cohas Brook) and temporarily impact an additional 28,800 square feet/115 linear feet to construct the City of Manchester, Cohas Brook Sewer Project-Contract 4.

With Conditions:
1. All work shall be in accordance with revised plans by Kleinfelder for the City of Manchester, NH, Department of Public Works, Environmental Protection Division titled Wetland Crossing Figure for Cohas Brook Sewer Project-Contract 4 dated June 16, 2016 as received by the Department on June 24, 2016, and amendment request plans by Kleinfelder for the City of Manchester, NH, Department of Public Works, Environmental Protection Division titled Wetland Crossing Figure for Cohas Brook Sewer Project-Contract 4 dated December 05, 2019, as received by the Department on December 13, 2019.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property, then prior to starting work the permitee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
3. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
4. If greater than 5,000 cy of blasting is needed, you will be required to identify drinking water wells located within 2000 feet of the proposed blasting activities and develop a groundwater quality sampling program to monitor for nitrate and nitrite either in the drinking water supply wells or in other wells that are representative of the drinking water supply wells in the area. The plan must include pre and post blast water quality monitoring and be approved by NHDES prior to initiating blasting. The groundwater sampling program must be implemented once approved by NHDES. For any blasting activities, the plans must,

at a minimum, require the best management practices contained in Attachment A of the DES document Rock Blasting and Water Quality Measures That Can Be Taken To Protect Water Quality and Mitigate Impacts available at: http://des.nh.gov/organization/commissioner/pip/publications/wd/documents/wd-10-12.pdf
5. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01). The permittee shall attempt to control identified invasive plant species such as Purple loosestrife (Lythrum salicaria), Japanese barberry (Berberis thunbergii), Oriental bittersweet (Celastrus orbiculatus), Burning bush (Euonymus alatus), and Multiflora rose (Rosa multiflora) according to the NHDOT Best Management Practices for Roadside Invasive Plants, 2008.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access to the crossing locations.
8. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. The contractor responsible for completion of the work shall utilize techniques described in the Best Management Practices Manual for Utility Maintenance In and Adjacent to Wetlands and Waterbodies in New Hampshire (January 2010).
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact and in accordance with the wetland restoration plan. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.
17. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Wetland temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
20. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:
1. This is a Major impact project per Administrative Rule Env-Wt 303.03(h); Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The goal of the project is to construct the fourth contract of the Cohas Brook Sewer Project to provide sewer utility to approximately 1,000 living units from the terminus of Contract 3 to the Londonderry Town line.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant considered three alternatives and a sub-alternative to complete the Cohas Brook Sewer Project. The applicant chose the proposed route as it was determined that shallower, more feasible, collector sewers in Bodwell Road will convey wastewater flows to the interceptor sewer while attaining the main goal of providing gravity sewer to all of the Bodwell Road area from the Contract 3 terminus to the Londonderry Town Line and allow future connections.
4. The permanent impacts have been minimized by eliminating any net fill within the 100-year floodplain and utilizing as much upland area as practicable without encroaching into adjacent properties. The proposed project will result in a net fill of 0 cubic yards within the 100-year flood plain.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The NH Natural Heritage Bureau determined that although there was a NHB record present in the vicinity of the project, it

is not expected that it will be impacted by the proposed project per letter dated February 29, 2016.
7. The NH Division of Historical Resources was notified of the proposed project and determined additional information is needed to complete the review per letter dated April 8, 2016.
8. The U.S. Fish & Wildlife Service IPaC Trust Resource Report indicated there are no critical habitats or migratory bird refuges in this location per report dated February 16, 2016.
9. The NH Natural Heritage Bureau was re-contacted on December 04, 2019 with regards to the amendment request. The NH Naturual Heritage Bureau determined that although there was a NHB record present in the vicinity of the project, it is not expected that it will be impacted by the proposed project per letter dated December 09, 2019.
10. The U.S. Fish & Wildlife Service was re-contacted on December 11, 2019 with regards to the amendment request. The U.S. Fish & Wildlife Service IPaC Trust Resource Report indicated there may be impacts to the northern long-eared bat, however any take that may occur as a result of the Action is not prohibited, per letter dated December 11, 2019.
11. No mitigation is required as the proposed project impacts are mostly temporary and the total proposed permanent impacts includes 3,585 sq. ft. A post-construction report submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction has been required
12. DES has not received any abutter or public comments in objection to the proposed project.
13. The additional wetland impacts amendment request is for impacts within an existing sewer line corridor, and is to upgrade and replace an existing sewer line.

2018-03001 **NH DEPT OF TRANSPORTATION**

LEBANON CONNECTICUT RIVER

Requested Action:

Applicant requests waiver to Env-Wt 807.01(b) for an additional 120 days for the ARM Fund payment due to need for G&C approval which necessitates additional time.

****

Conservation Commission/Staff Comments:
Cons. Comm. recommends 10 conditions including mitigation to be to the SW side of Signal Hill and Rix Ledges wildlife corridor.
Upper Valley River Subcommittee sent comments that were forwarded to NHDOT fro response.

APPROVE WETLAND WAIVER
Approve waiver to Env-Wt 807.01(b) for payment into the ARM Fund and approve the application to rehabilitate two bridges; install four new footings and piers in the river for a new deck to fill the gap between the bridges providing a single 110 foot wide bridge, install scour protection around the two middle piers and construct outlets from two drainage structures impacting 122,937 square feet (95,147 square feet temporary) of riverine wetlands. Compensatory mitigation includes a one-time payment of $53,746.56 to the Aquatic Resource Mitigation Fund for 158 linear feet of channel impact from new pier footings and 59 linear feet of bank impact for drainage work. NHDOT project #16148.

With Conditions:
1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated August 2018, and revised through April 2019 as received by the NH Department of Environmental Services (NHDES) on May 24, 2019.
2. This approval is not valid until NHDES receives a one time payment of $ 53,746.56 to the NHDES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to NHDES. If NHDES does not receive payment by April 13, 2020, NHDES will deny the application.
3. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Program prior to construction.
4. At least thirty (30) days prior to any work within the Connecticut River, the applicant/owner shall submit a turbidity monitoring plan to NHDES Wetlands Bureau and NHDES Watershed Management Bureau for review and approval. The monitoring plan shall demonstrate compliance with surface water quality standards in RSA 485-A and New Hampshire Administrative Rules Env-Wq 1700.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit.

6. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
7. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
8. Work shall be done during low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Construction equipment shall not be located within surface waters.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
14. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
15. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by appropriate seeding and straw mulching during the growing season, or if not within the growing season, by straw mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by appropriate seeding and straw mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by straw mulching, straw mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
19. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
20. Invasive species encountered during construction, the contractor will follow the appropriate procedures outlined in NHDOT's Best Management Practices for the Control of Invasive and Noxious Plant Species, dated 2018 to ensure proper handling and disposal.
21. Where plants are removed temporary impacts to banks shall be re-vegetated with native species.
22. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
23. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
24. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:
1. This is a major impact project per New Hampshire Administrative Rule Env-Wt 303.02(p), a construction of a stream crossing structure in a tier 3 stream.
2. The NHDES finds the project to be for the public good as set out in RSA 482-A:1. This Interstate 89 bridge over the Connecticut River is a major transportation connection between New Hampshire and Vermont.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was presented and coordinated during a Natural Resource Agency meetings held May 21, 2014, November 19, 2014, February 17, 2016, February 15, 2017 and August 15, 2018.
6. The NH Department of Transportation (NHDOT) is responsible for developing transportation systems in a manner that assures a consistent transportation network and meets the safety needs of the general public.
7. NHDOT's Selected Alternative meets the project purpose and represents a balance between impacts to environmental resources and safety of the general public.
8. On November 20, 2018 the NHDES received a letter from the Conservation Commission recommending approval with ten (10) conditions. The letter was copied to the NHDOT and agent. Conservation Commission conditions are part of this approval.
9. On November 28, 2018 the NHDES requested the NHDOT address the October 26, 2018 letter from the Upper Valley River Subcommittee (UVRS) and address the mitigation rules.

10. On May 24, 2019, the NHDES received a response from NHDOT addressing letter from UVRS and mitigation rules.
11. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
12. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
13. The payment calculated for the proposed wetland loss equals $53,746.56.
14. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
15. The payment into the ARM fund shall be deposited in the DES fund for the Lower Connecticut watershed per RSA 482-A:29.
16. The applicant has requested a waiver to the 120 day deadline for receipt of the ARM Fund payment until April 13, 2020 and prior to construction.
17. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with New Hampshire Administrative Rule Env-Wt 803.08(f).

2019-02481 **NHDOT DISTRICT 6**

NORTHWOOD Unnamed Stream

Requested Action:

Dredge and fill a total of 2,583 square feet (SF), 524 SF permanent and 2,059 SF temporary, within palustrine emergent wetland and the bed and banks of Narrows Brook (impacting 217 linear feet) to replace an existing 5 foot high x 7 foot wide x 68 foot long CMP arch pipe with a 5 foot high x 9 foot wide x 44 foot long box culvert embedded 6 inches with stream simulation and precast headwalls and wingwalls. The project also includes replacement of an existing 12 inch CMP with a 15 inch plastic pipe that outlets in close proximity to the existing 5 foot high x 7 foot wide x 68 foot long CMP. Emergency Authorization issued August 12, 2019 to temporarily stabilize this location.

****

APPROVE PERMIT
Dredge and fill a total of 2,583 square feet (SF), 524 SF permanent and 2,059 SF temporary, within palustrine emergent wetland and the bed and banks of Narrows Brook (impacting 217 linear feet) to replace an existing 5 foot high x 7 foot wide x 68 foot long CMP arch pipe with a 5 foot high x 9 foot wide x 44 foot long box culvert embedded 6 inches with stream simulation and precast headwalls and wingwalls. The project also includes replacement of an existing 12 inch CMP with a 15 inch plastic pipe that outlets in close proximity to the existing 5 foot high x 7 foot wide x 68 foot long CMP. Emergency Authorization issued August 12, 2019 to temporarily stabilize this location.

With Conditions:
1. All work shall be in accordance with plans by NH Department of Transportation dated September 11, 2019 as received by the NH Department of Environmental Services (NHDES) on September 23, 2019.
2. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow.
6. The use of welded plastic or 'biodegradable plastic' erosion control netting shall not be used on the project. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable.
7. There shall be no use of riprap or retention sills (baffles) within the culvert and in the streambed.
8. Materials used to emulate the natural stream bed shall be consistent with the bed materials identified in the reference reach, and shall be well-mixed with cobbles, gravels and fines that are washed in during installation to prevent subsurface stream flow (hyporheic). Stream bed materials shall not include angular riprap.

9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
13. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
15. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
16. The channel at the culvert inlet and outlet/recreated stream channel bed and box culvert must maintain the natural and a consistent streambed elevation and not impede stream flow.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
19. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03. The project will reduce the impact to the brook with a shorter length culvert from sixty-eight (68) feet to forty-four (44) feet.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. In accordance with New Hampshire Administrative Rule Env-Wt 503, the applicant requested and NHDES issued an Emergency Authorization on August 12, 2019 to temporarily stabilize this location.
5. The stream crossing is classified as Tier 3 in accordance with New Hampshire Administrative Rule Env-Wt 904.04.
6. The proposed crossing has been designed in accordance with the New Hampshire Administrative Rules Env-Wt 904.01, General Design Considerations.
7. This project was reviewed at the NHDOT Natural Resource Agency Coordination Meeting on June 19, 2019.
8. In accordance with New Hampshire Administrative Rule Env-Wt 904.04(f)(1), compensatory mitigation is not required as the project, as proposed, is considered self-mitigating. The project will reduce the impact to the brook with a shorter length culvert from sixty-eight (68) feet to forty-four (44) feet and will embed the culvert six (6) inches with stream simulation to provide an improvement to aquatic organism passage.
9. No comments of concern were received by NHDES from abutters or local governing organizations.
10. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-0430) stated that there is a State-threatened vertebrate species in the vicinity of the project. Follow up correspondence and further review by NH Fish and Game Department finds that the proposed design should improve aquatic species passage opportunities for the vertebrate species at this location.
11. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2019-03637 **NH DEPT OF TRANSPORTATION**

PETERBOROUGH CONTOOCOOK RIVER

Requested Action:

Dredge and fill 1,680 square feet within the bed and banks of the Contoocook River (Tier 3, impacting 390 linear feet), and 690 square feet within palustrine scrub-shrub and emergent wetlands to replace the existing US Route 202/NH Route 101 deteriorated bridge, supported by 2 piers, with a new wider bridge and a single pier, as well as other roadway improvements such as approach road work, stormwater improvements and invasive plant species removal. Temporarily impact 15,811 square feet (382 linear feet) within the bed and banks of the Contoocook River and within palustrine scrub-shrub and emergent wetlands for construction access, installation of the new bridge and pier, and to remove 2 existing piers from the riverbed. NHDOT Project No. 15879.

****

APPROVE PERMIT
Dredge and fill 1,680 square feet within the bed and banks of the Contoocook River (Tier 3, impacting 390 linear feet), and 690 square feet within palustrine scrub-shrub and emergent wetlands to replace the existing US Route 202/NH Route 101 deteriorated bridge, supported by 2 piers, with a new wider bridge and a single pier, as well as other roadway improvements such as approach road work, stormwater improvements and invasive plant species removal. Temporarily impact 15,811 square feet (382 linear feet) within the bed and banks of the Contoocook River and within palustrine scrub-shrub and emergent wetlands for construction access, installation of the new bridge and pier, and to remove 2 existing piers from the riverbed. NHDOT Project No. 15879.

With Conditions:
1. All work shall be in accordance with plans by Hoyle, Tanner and Associates, Inc. dated November 2019, as received by the NH Department of Environmental Services (DES) on November 20, 2019.
2. This permit is contingent on review and approval, by the DES Wetlands Program, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Per the NH Fish & Game Department's (NHFG) recommendations, the use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can trap wildlife. Coco matting and other natural fibers are acceptable.
7. Per the NHFG recommendations, construction personnel should be made aware of the potential to encounter wood turtles, spotted turtles, or Blanding's turtles, especially near the soil stockpile areas during turtle nesting season which extends from late May through the beginning of July. If wood, spotted or Blanding's turtles are found laying eggs in the work area, please contact Melissa Doperalski at (603) 479-1129 or Josh Megyesy at (978) 578-0802 for further instructions.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Erosion control products shall be installed per manufacturers recommended specifications.
11. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
13. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
14. The temporary cofferdam shall be entirely removed within 2 days upon completion of work and once water has returned to normal clarity.
15. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during

construction.
16. No construction equipment shall be operated in flowing water.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
21. Area of temporary impact shall be regraded to original contours and properly restored following completion of work.
22. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(p) and 903.01(g), as the project is replacing a Tier 3 stream crossing.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03. The bridge is on the NHDOT red list and is in need of repair due to its severely deteriorated bridge deck. The new bridge, which is the preferred alternative, is wider to improve existing safety issues, and results in fewer wetland/river impacts than other replacement alternatives that were evaluated in the National Environmental Policy Act (NEPA) review.
3. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. The proposed project occurs within the Designated River corridor of the Contoocook River, Local Advisory Committee (LAC), and the LAC was notified by certified mail on November 19, 2019. The applicant's agent met with the Contoocook River LAC on August 13, 2012 to discuss the potential project impacts, and the LAC's only concern was related to protecting the river from deposition of any demolition debris. NHDOT will employ containment practices to ensure no debris enters the river. NHDES did not receive any direct comments or concerns from the LAC.
5. The NH Natural Heritage Bureau (NHB) reviewed the application August 06, 2019, and determined that wood turtles occur in the vicinity of the project, and that the nearest documented Northern long-eared bat record is an observation located approximately 2.5 miles from the project area.
6. In an email dated August 20, 2019, the NH Fish and Game Department (NHFG) stated that they do not expect impacts to wood turtles, except that stockpile areas should be monitored for turtle activity and contractors should be made aware. NHDES added permit conditions accordingly.
7. NHDOT coordinated with the US Fish and Wildlife Service (USFWS) in correspondence dated August 28, 2019 regarding potential bat impacts. Tree clearing will occur in the summer of 2020 after July 31st to minimize potential impacts to the Northern Long-Eared Bat.
8. The applicant has addressed the stream crossing design criteria of Chapter Env-Wt 900; and has requested alternative design, as fully meeting the entrenchment ratio of 2.2 or greater for the C4 stream type would be cost prohibitive.
9. The project is considered self-mitigating per Rule Env-Wt 904.04(f), as the design fully meets the alternative design criteria listed in Rule Env-Wt 904.09, and will improve the natural river function and stability by removing 2 piers and replacing them with a single pier.
10. DES has not received any abutter or public comments in objection to the proposed project.
11. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2019-03673 **NH DEPT OF TRANSPORTATION**

STRATFORD

Requested Action:

Dredge and fill a total of 3,710 square feet (SF), including 3,540 SF permanent and 170 SF temporary, within palustrine emergent wetland and the bed and banks of an unnamed stream (impacting 350 linear feet) to replace an existing 4.2 foot high x 4 foot wide x 20 foot long concrete box culvert with a 5 foot high x 7 foot wide x 24 foot long concrete box culvert embedded 24 inches with stream simulation and precast headwalls and wingwalls. In addition, construct a 3 foot wide wildlife passage shelf within the box culvert and restore the ditchline/channel adjacent to the stream.

****

APPROVE PERMIT
Dredge and fill a total of 3,710 square feet (SF), including 3,540 SF permanent and 170 SF temporary, within palustrine emergent wetland and the bed and banks of an unnamed stream (impacting 350 linear feet) to replace an existing 4.2 foot high x 4 foot wide x 20 foot long concrete box culvert with a 5 foot high x 7 foot wide x 24 foot long concrete box culvert embedded 24 inches with stream simulation and precast headwalls and wingwalls. In addition, construct a 3 foot wide wildlife passage shelf within the box culvert and restore the ditchline/channel adjacent to the stream.

With Conditions:
1. All work shall be in accordance with plans by NH Department of Transportation (NHDOT) dated October 27, 2018 as received by the NH Department of Environmental Services (NHDES) on November 22, 2019.
2. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Bureau prior to construction.
3. There shall be no use of riprap or retention sills (baffles) within the culvert and in the streambed.
4. Materials used to emulate the natural stream bed shall be consistent with the bed materials identified in the reference reach, and shall be well-mixed with cobbles, gravels and fines that are washed in during installation to prevent subsurface stream flow (hyporheic). Stream bed materials shall not include angular riprap.
5. NHDOT shall submit to NHDES Wetlands Bureau photographic documentation of the streambed material within sixty (60) days post-construction.
6. NHDOT shall monitor this project post-construction through NHDOT's mitigation database.
7. Within sixty (60) days of completing the project, the applicant shall submit a post-construction monitoring report, documenting the conditions of enhanced stream. The submitted monitoring report shall identify the problem(s) limiting the success of the stream channel, measures which need to be taken to address the problem(s), and a time schedule on which the permittee will implement the corrective measures. NHDES Wetlands Bureau may require subsequent monitoring and corrective measures if NHDES deemed the area inadequately stabilized or restored.
8. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Work shall be done during low flow.
11. The use of welded plastic or 'biodegradable plastic' erosion control netting shall not be used on the project. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable.
12. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
14. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
16. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

18. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
19. The channel at the culvert inlet and outlet/recreated stream channel bed and box culvert must maintain the natural and a consistent streambed elevation and not impede stream flow.
20. Proper headwalls shall be constructed within seven days of culvert installation.
21. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
22. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3.1.

With Findings:
1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. The NHDOT in partnership with The Nature Conservancy (TNC) received a grant through the National Fish and Wildlife Foundation-New England Forests and Rivers Fund to complete this project.
5. The scope and premise of this project is to enhance and improve wildlife passage for aquatic and terrestrial organisms in addition to address structural and condition issues with the culvert.
6. There is currently a four (4) foot perched outlet in the existing bed that will be repaired to restore connectivity and improve aquatic and terrestrial organism passage.
7. The stream crossing is classified as Tier 2 in accordance with New Hampshire Administrative Rule Env-Wt 904.03.
8. The proposed crossing has been designed in accordance with the New Hampshire Administrative Rules Env-Wt 904.01, General Design Considerations, and Env-Wt 904.07 upgrade of an existing Tier 2 stream crossing.
9. This project was reviewed at the NHDOT Natural Resource Agency Coordination Meeting on November 21, 2018 and December 19, 2018.
10. In accordance with New Hampshire Administrative Rule Env-Wt 904.04(f)(1), compensatory mitigation is not required as the project, as proposed, is considered self-mitigating. TNC identified this crossing as the seventh highest priority crossing replacement in this NHDOT district and approached NHDOT to partner to improve the crossing for aquatic and terrestrial organism passage.
11. No comments of concern were received by NHDES from abutters or local governing organizations.
12. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-3435) stated that although there is a record of a sensitive species within the vicinity, NHB does not expect it will be impacted by the proposed project.
13. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT
****

2019-01913 **HEBERT, ARMAND/SUSAN**

CANDIA Unnamed Wetland

Requested Action:

Impact 3,655 square feet of forested wetland along 40 linear feet of intermittent stream for the installation of two (2) 18-inch RCP culverts in two (2) separate locations for the construction of driveways for access to two (2) residential lots as part of a 5-lot residential subdivision of approximately 32 acres.

****

APPROVE PERMIT
Impact 3,655 square feet of forested wetland along 40 linear feet of intermittent stream for the installation of two (2) 18-inch RCP culverts in two (2) separate locations for the construction of driveways for access to two (2) residential lots as part of a 5-lot residential subdivision of approximately 32 acres.

With Conditions:
1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated February 19, 2019 and revised 11/12/19 as received by the NH Department of Environmental Services (NHDES) Wetlands Bureau on December 10, 2019.
2. This permit is not valid unless a subdivision / septic system construction approvals in accordance with RSA 485-A:29-44 and Env-Wq 1000 are achieved.
3. This permit is not valid and effective until it has been recorded with the Rockingham County Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to NHDES by certified mail, return receipt requested.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or septic setback.
5. The deed that accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. The 50-foot no disturbance area around the vernal pool areas shall be permanently marked with appropriate signs spaced at 50-foot intervals prior to construction.
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
8. Construction personnel should be made aware of the potential to encounter spotted and Blanding's turtles, especially during turtle nesting season which extends from late May through the beginning of July. IF SPOTTED OR BLANDING'S TURTLES ARE FOUND LAYING EGGS IN THE WORK AREA, PLEASE CONTACT MELISSA DOPERALSKI AT 271-1738 or JOSH MEGYESY AT 271-1125 FOR FURTHER INSTRUCTIONS.
9. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to NHDES within 60 days of the completion of construction.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. There shall be no use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting on this job. Alternatively, erosion control berm, Filtrexx or equal filter sock, or several 'wildlife friendly' options such as woven organic material (e.g. coco or jute matting such as North American Green SC150BN or equivalent) shall be used.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Work shall be done during seasonal low flow conditions.
14. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
15. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
16. There shall be no excavation or operation of construction equipment in flowing water.
17. The stream bed surface shall be restored with natural rounded stone and/or natural stream bed materials.
18. Discharge from dewatering of work areas shall be to sediment basins that are: a)located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
19. Dredged material shall be placed outside of the jurisdiction of NHDES
20. Materials used to emulate the natural channel bottoms within the culverts must be consistent with the surrounding substrate materials and shall not include angular riprap or gravel unless specifically identified on the approved plans.
21. Temporary cofferdams shall be entirely removed immediately following construction.
22. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
24. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

25. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
26 Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
27. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
28 All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f);
2. The crossings will provide access to buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. NHDES has not received any abutter or public comments in objection to the proposed project.
6. No comments were submitted from the Candia Conservation Commission on the project.
7. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-0883 identifying the following species in the vicinity of the project: Blanding's Turtle (Emydoidea blandingii), Smooth Green Snake (Opheodrys vernalis), and Spotted Turtle (Clemmys guttata). Email correspondence included in the Application between the agent, Keach-Nordstrom Associates, and NH Fish and Game Dept., Nongame and Endangered Species Program (NHFG) speaks to the aforementioned species and the presence of vernal pools on the property.
8. In response to the recommendations by NHFG for the aforementioned NHB Datacheck results letter, NHDES added conditions to the permit prohibiting the use of welded plastic or 'biodegradable plastic' and construction personnel should be made aware of the potential to encounter spotted and Blanding's turtles, especially during turtle nesting season and to contact NHFG in the event nesting turtles are found. A 50-foot no disturbance area around the vernal pool areas shall be permanently marked with appropriate signs spaced at 50-foot intervals prior to construction.
9. In correspondence dated August 14, 2019, the US Environmental Protection Agency found that the project is eligible, as proposed, for the NH Programmatic General Permit.
10. The NH Division of Historical Resources has reviewed the site and found 'No Historic Properties Affected.'

2019-03052 **DANIELS, ROBERT**

ALTON Unnamed Wetland

Requested Action:

Retain 5,854 square feet (SF) of dredge and fill within palustrine forested wetland in order to construct a two-story garage with an office and two bathrooms, a shed, and the associated building pads and side slopes.

****

DENY PERMIT
Deny request to retain 5,854 square feet (SF) of dredge and fill within palustrine forested wetland in order to construct a two-story garage with an office and two bathrooms, a shed, and the associated building pads and side slopes.

With Findings:
Standards for Approval:
1. This is a Minor Project per NH Administrative Rule Env-Wt 303.03(h), for projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. Pursuant to RSA 482-A:3, XIV.(d), the time limits prescribed by RSA 482-A:3, XIV.(a) shall not apply to an application filed after the applicant has already undertaken some or all of the work covered by the application.
3. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
4. Pursuant to Rule Env-Wt 302.03(a), Avoidance, Minimization, and Mitigation, the applicant shall submit a statement

describing the impact of the proposed project design and provide evidence which demonstrates that potential impacts have been avoided to the maximum extent practicable and any unavoidable impacts have been minimized.
5. The applicant must demonstrate by plan and example that each of the factors listed in Env-Wt 302.04(b), Requirements for Application Evaluation, have been considered in the design of their project.
6. Pursuant to Rule Env-Wt 302.04(d)(1), the department shall not grant a permit if there are practicable alternatives that would have a less adverse impact on the area and environments under the department's jurisdiction.
7. Pursuant to Rule Env-Wt 302.04(d)(3), the department shall not grant a permit if the project will cause random or unnecessary destruction of wetlands.
8. Pursuant to 302.04(e)(2), the department shall not grant a permit if the requirements of Env-Wt 302.03 are not met or the applicant has failed to document consideration of factors as required in Env-Wt 302.04(a), (b), and (c), unless a waiver is granted under Env-Wt 204.

Findings of Fact:
1. On September 25, 2019, the Department received an After-the-Fact Standard Dredge and Fill application to retain 5,854 square feet of unauthorized fill within palustrine forested wetland in order to retain a 36-foot by 36-foot two-story garage with an office and two bathrooms, a 20-foot by 15-foot shed, the building pads and side slopes associated with the constructed buildings, as well as an extension of the driveway to access these structures on the property at Alton Tax Map #16, Lot #15-1.
2. Review of the plans and photographs submitted with the application indicate that there are alternative upland locations on the property where the structures could have been constructed that entirely avoid impacts to the wetlands.
3. The project proposes retaining unauthorized fill of wetlands for lot development that was completed in 2018.
4. On September 27, 2019, the Department received correspondence from the Alton Conservation Commission indicating that the nearby West Alton Brook is an important tributary to Lake Winnipesaukee, recommended that the wetlands be restored, and stated that had the application come in before construction, the Alton Conservation Commission would have recommended denial.
5. Aerial imagery obtained from Google Earth dated April 27, 2016, identifies the shed in its original location and configuration approximately 67.9 feet from the southwest corner of the house. Subsequent Aerial imagery of the property, dated September 11, 2017, June 24, 2018, and July 07, 2019, shows extensive tree clearing and stumping of the property; construction of the driveway extension and expansion including the deposition of a large amount of unauthorized fill; the removal of the existing shed and the construction of a new shed in a new location approximately 100 feet from the southwest corner of the house; the construction of the garage foundation and unauthorized fill for the side slopes of the building pad; and the construction of the two story garage.
6. In plans dated September 03, 2003, and received by NHDES on December 24, 2003, for an Individual Septic Disposal System (ISDS) Construction Approval (#CA2003059082) approved by NHDES Subsurface Systems Bureau staff on December 26, 2003, the wetlands on the property as delineated by a Certified Wetland Scientist were identified. This delineation matches the wetlands as delineated on the plans received with the After-the-Fact Wetlands Application (#2019-03052) dated September 10, 2019, and received by NHDES on September 25, 2019.

Findings in Support of Denial:
1. The Applicant failed to demonstrate by plan and example that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03(a).
2. The Applicant failed to demonstrate by plan and example that there was a lack of alternatives with lesser wetlands and surface water impacts, pursuant to Env-Wt 302.04(a)(2).
3. Accordingly, the project is denied per Rules Env-Wt 302.04(d) and Env-Wt 302.04(e)(2).

2019-03639 **BARBARA OLDMAN TRUST**

NEWBURY SUNAPEE LAKE

Requested Action:

Drive one 3-piling ice cluster 35 feet northerly of an existing docking facility consisting of a 30 foot x 20 foot 6 inch boathouse over public waters and associated exterior dock surfaces accessed by a 5 foot x 57 foot crib supported walkway on an average of 450 feet of frontage along Lake Sunapee in Newbury.

****

APPROVE PERMIT
Drive one 3-piling ice cluster 35 feet northerly of an existing docking facility consisting of a 30 foot x 20 foot 6 inch boathouse over public waters and associated exterior dock surfaces accessed by a 5 foot x 57 foot crib supported walkway on an average of 450 feet of frontage along Lake Sunapee in Newbury.

With Conditions:
1. All work shall be in accordance with plans by Andrew Q. Oldman dated October 1, 2019, and revised October 28, 2019, dated October 28, 2019, and dated October 30, 2019 , as received by NHDES on November 20, 2019.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Program by certified mail, return receipt requested.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
5. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
8. The ice cluster shall extend no further from the shoreline at summer operational lake elevation (Elev. 1093.15).

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m) installation of new tie-off piles, ice clusters, or dolphins which do not, by their presence, add boat slips to an existing docking system.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT
****

2019-00437 **THE MEADOWS OF HOPKINTON INC**

HOPKINTON FLOODPLIAN WETLANDS ADJACENT TO THE WARNER RIVER

Requested Action:

Dredge and fill 351 square feet (SF) within forested floodplain wetlands adjacent to the bank of the Warner River to replace a failed 6 foot diameter corrugated metal culvert with a 10 foot wide by 10 foot tall concrete box culvert that carries Deer Path. In addition, temporarily impact 271 SF of forested floodplain wetlands to remove unnecessary rip-rap.

****

Conservation Commission/Staff Comments:
9/30/2019 - Warner River LAC provided comments on application, from the perspective that the project should be evaluated as a stream crossing of a future Warner River channel. Requested a delay in approval until a number of stream crossing related data are provided. Applicant does not appear to have been copied on the letter.

APPROVE AFTER THE FACT
Dredge and fill 351 square feet (SF) within forested floodplain wetlands adjacent to the bank of the Warner River to replace a failed 6 foot diameter corrugated metal culvert with a 10 foot wide by 10 foot tall concrete box culvert that carries Deer Path. In addition, temporarily impact 271 SF of forested floodplain wetlands to remove unnecessary rip-rap.

With Conditions:
1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated July 30, 2019 and revised November 23, 2019, received by the NHDES on December 9, 2019.
2. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Work within the wetlands, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
4. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Erosion control products shall be installed per manufacturers recommended specifications.
6. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
8. No machinery shall enter the water.
9. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
13. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for the Control of Invasive and Noxious Plant Species (2018).
14. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
15. Only native plant species shall be used to revegetate the riverbank.
16. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.

With Findings:
1. This is a Minimum Impact Project per NH Administrative Rules Env-Wt 303.04(f), alteration of less than 3,000 SF in swamps or wet meadows.
2. The project will reduce the risk of overtopping of Deer Path, which is threatened by periodic flooding.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only impact the forested floodplain wetland to the degree necessary.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Warner River Local Advisory Committee (WRLAC) provided comments regarding the project on September 30, 2019. NHDES provided a copy of the WRLAC's comments with its Request for More Information letter dated October 23, 2019. The comments were as follow:
   a. Provide the rationale for using a full-box culvert rather than an open-bottom Culvert
   b. Was an engineer retained to design the new culvert? Kindly provide the design calculations and engineering drawings for our review.
   c. Provide the precipitation and river-flow data that were used to size the new culvert.

d. Were changes to the local hydrologic system considered in the design and installation of the new culvert?
e. The application indicates that the new culvert is within the floodplain. We estimate that the floor of the new culvert is elevation 350 feet (based on Keach-Nordstrom's Sheet 1). How does this elevation compare with the base flood elevation (and other possible flood elevations) for this reach of the Warner River?
f. Provide the gradation of the proposed "12-inch minus river stone" material.
The agent for the applicant responded to each of WRLAC's comments in their November 20, 2019 response letter.
6. There were no comments regarding the project received from abutters or the public.
7. In a review letter dated August 26, 2019, the NH Natural Heritage Bureau stated that there are records of sensitive species in the vicinity of the proposed project, but that they do not expect it to be impacted by the proposed project.
8. The project is located within one-quarter mile of the Warner River, which is a designated river by NHDES.
9. In a review letter dated September 4, 2019, the NH Division of Historical Resources (DHR) stated that they "cannot provide comment as culvert replacement occurred in 2014 without due review. Project disturbance precludes DHR's ability to provide information on whether or not significant archeological or historic resources would be impacted."

2019-01175 **BARKER, MICHAEL**

NEWINGTON LITTLE BAY - TRICKY'S COVE

Requested Action:

Impact a total of 908 square feet of previously developed upland tidal buffer to construct a garage, replace a rock wall with a paver wall, install hot tub under existing deck, construct a patio, construct a walkway, and construct shorefront stairs.

****

APPROVE PERMIT
Impact a total of 908 square feet of previously developed upland tidal buffer to construct a garage, replace a rock wall with a paver wall, install hot tub under existing deck, construct a patio, construct a walkway, and construct shorefront stairs.

With Conditions:
1. All work shall be in accordance with plans by Michael Barker and Kimberly Jacques as received by the NH Department of Environmental Services (NHDES) on December 13, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
6. No more than 18.72% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a Minimum Project per New Hampshire Administrative Rule Env-Wt 303.04(b), projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in New Hampshire Administrative Rule Env-Wt 303.02 or New Hampshire Administrative Rule Env-Wt 303.03, respectively.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(b) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
4. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-2592) determined that, although there was a NHB record of sensitive species present within the vicinity, NHB does not expect that it will be impacted by the proposed project.
5. No comments of concern were received by NHDES from abutters or local governing organizations.
6. The Newington Conservation Commission did not submit comments to NHDES on the application.

2019-03083 **HOPKINTON, TOWN OF**

HOPKINTON

Requested Action:

Retain 100 square feet of dredge and fill within palustrine wetland for the installation of a 12-inch diameter culvert along an existing class six road.

****

APPROVE AFTER THE FACT
Retain 100 square feet of dredge and fill within palustrine wetland for the installation of a 12-inch diameter culvert along an existing class six road.

With Conditions:
1. All work shall be in accordance with plans by Hoyle, Tanner, & Associates, Inc. dated September 25, 2019, as received by the NH Department of Environmental Services (NHDES) on September 27, 2019.
2. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. As proposed, the applicant shall monitor the site annually for a period of 3 years and in the event that beaver activity ceases and the water level recedes, the applicant shall restore the impacted areas by applying a wetland seed mix appropriate to the impacted areas in accordance with manufacturers' specifications.

With Findings:
1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(o), as this project has been deemed a minimum impact project by the Department based on the degree of environmental impact.
2. This file is related to compliance case #2018-02703 involving a 12-inch diameter culvert that was installed without a permit on a class VI Road in order to alleviate flooding resulting from beaver activity.
3. The culvert was intended to function as a floodplain culvert and was installed adjacent to an existing stone culvert through which the tier 2 stream primarily flows. The installed culvert is not located within the primary stream channel.
4. Continued beaver activity has resulted in the inundation of the surrounding area.
5. NHDES staff has determined that it would be more impacting to remove the installed culvert than it would be to abandon the culvert in place at this stage.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact

to the areas and environments under the department's jurisdiction per Rule Env-Wt 302.03, as the removal of the culvert associated with this project would result in greater impact to jurisdictional resources.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) requirements for Application Evaluation, has been considered in the design of the project.
8. In a review letter dated January 06, 2020, and received by NHDES on January 06, 2020, the NH Natural Heritage Bureau (NHB) stated that there was no record of a sensitive species in the vicinity of the proposed project.
9. In a regulatory review dated September 18, 2019, the US Fish and Wildlife Service found that while Northern Long-eared Bats (Myotis septentrionalis) were present in the vicinity of the site, there were no critical habitats for this species at this location.
10. In a letter dated September 27, 2019, and received by NHDES on October 02, 2019, the New Hampshire Department of Historical Resources (DHR) stated that the project disturbance precludes the DHR's ability to comment on whether or not significant archaeological or historic resources would be impaired.
11. In a letter signed and dated October 01, 2019, and received by NHDES on January 06, 2020, the abutting property owner at Hopkinton Tax Map 227, Lots 33 and 37 granted permission for the work associated with this permit to take place within 20 feet of their property.
12. As of January 9, 2020, no comments of concern have been received by NHDES from abutters or local governing organizations.

X-EXPEDITED MINIMUM

****

2014-03478

SCHEERER, NANCY

JAFFREY Unnamed Wetland

Requested Action:

Request permit time extension to impact a total of 14,800 square feet of wetland for construction of a pond, including dredge and berm construction.

****

Conservation Commission/Staff Comments:
Con. Com. signed expedited application.
As per DHR No Historic Properties Affected

APPROVE TIME EXTENSION
Impact a total of 14,800 square feet of wetland for construction of a pond, including dredge and berm construction.

With Conditions:
1. All work shall be in accordance with plans by Fieldstone Land Consultants PLLC dated 12/10/2014, as received by the NH Department of Environmental Services (DES) on 12/15/2014.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1.The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2.This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2019-02664 **MCCOOL, DONALD**

HINSDALE ASHUELOT RIVER

Requested Action:

Dredge and fill a total of approximately 11,400 square feet (SF) within the bed and banks of Ashuelot River (Tier 3, impacting 760 linear feet (LF)) to arrest bank erosion that is impacting agricultural land. The project proposes bank stabilization using two sections of log jam and brush mattress. In addition, temporarily impact approximately 11,400 SF within the bed and banks of Ashuelot River (impacting 760 LF) to support construction activities.

****

Conservation Commission/Staff Comments:
8/18/2019 - Hinsdale ConComm concurs regarding the bank stabilization project. Expresses concern that the current not be diverted to the opposite bank.
9/12/2019 - Ashuelot River LAC supports the bank stabilization improvements. Expresses concerns regarding lack of proposed siltation controls during construction and encourages the use of native vegetation in the restored riparian buffer.

APPROVE PERMIT
Dredge and fill a total of approximately 11,400 square feet (SF) within the bed and banks of Ashuelot River (Tier 3, impacting 760 linear feet (LF)) to arrest bank erosion that is impacting agricultural land. The project proposes bank stabilization using two sections of log jam and brush mattress. In addition, temporarily impact approximately 11,400 SF within the bed and banks of Ashuelot River (impacting 760 LF) to support construction activities.

With Conditions:
1. All work shall be in accordance with plans by Field Geology Services as received by the NHDES on September 5, 2019.
2. This permit is contingent on review and approval, by the NHDES Wetlands Program, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.
4. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
5. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Code of Administrative Rules Env-Wq 1400 during and after construction.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Erosion control products shall be installed per manufacturers recommended specifications.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
10. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. In order to avoid impacts to Bald Eagles identified in the vicinity of the project, the NH Non-game and Endangered Species Program has stipulated that no mature shoreland trees be removed during the course of the project. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
11. Mulch used within the bank stabilization area shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
12. Native material removed from the riverbed/bank during bank stabilization shall be stockpiled separately and reused to

rebuild the stabilized bank. Any new materials used must be as similar to the natural river/bank substrate as practicable and shall not include any angular rock.
13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
14. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
17. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
18. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
19. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).
20. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
21. The permittee or permittee's contractor shall properly construct, landscape, and monitor the construction area, and shall take such remedial actions as may be necessary to create functioning wetland areas. Remedial measures may include replanting, relocating plantings, removal of invasive species and/or changing soil composition and depth.
22. Only native plant species shall be used to revegetate the riverbank.
23. The riverbank and buffer plantings shall have at least 75% successful establishment after two (2) growing seasons. If it does not, it shall be replanted and re-established in a manner satisfactory to NHDES.
24. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the NHDES Wetlands Program. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration site.
25. The permittee or permittee's contractor shall properly construct, landscape, and monitor the construction area, and shall take such remedial actions as may be necessary to create functioning wetland areas. Remedial measures may include replanting, relocating plantings, removal of invasive species and/or changing soil composition and depth.

With Findings:
1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project is receiving financial support and direct supervision from the US Natural Resources Conservation Service and proposes to stabilize the river bank in order to protect agricultural land.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only impact a critical portion of the affected river bank, and the project utilizes natural wood which is consistent with what would have been present at the site prior to European settlement.
3. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. No trees will be taken that are currently stabilizing banks or slopes, and no mature shoreland trees will be removed during the course of the project.
5. On August 7, 2019, the Town of Hinsdale Conservation Commission (CC) reviewed the application. In their August 18, 2019 letter to NHDES, the CC "concurred that bank stabilization should be done. The method that Field Biology [sic] Services proposes is new to the CC but appears to be innovative in design. [The CC has] concerns that the current not be diverted to the opposite bank."
6. The Ashuelot River is a designated river. On August 20, 2019, the Ashuelot River Local Advisory Committee (LAC) met with the Agent and reviewed the application. In their September 12, 2019 letter to NHDES regarding their findings, the LAC supports "the improvements this stabilization will provide to the eroding stretch of river bank and the adjacent corridor. [The LAC has] concerns that siltation controls will not be utilized during construction but also understand the constraints involved, knowing that the siltation that occurs during construction will be less than that which would occur over time if the project was not implemented." The LAC further "encourage[d] the use of native vegetation for the trees and shrubs to be planted in the riparian buffer."

7. In a review letter dated September 3, 2019, the NH Natural Heritage Bureau (NHB) stated that there are records of sensitive species in the vicinity of the proposed project. Subsequent email communications between the applicant and NHB and the NH Department of Fish and Game Nongame and Endangered Species Program (NESP), which incorporated NHB and NESP comments regarding planting recommendations, removal of mature shoreland trees, and use of "wildlife-friendly" erosion control matting led to the elimination of potential impacts to sensitive and endangered species.
8. In a NH Natural Resources Conservation Service Cultural Resources Review Form dated December 6, 2017, the NH Division of Historical Resources (DHR) stated on April 4, 2018 that the area is considered sensitive and should be surveyed prior to the proposed undertaking, and inquired regarding what and how much impact. A Phase 1A Archeological Investigation was conducted; the November 27, 2019 report on the investigation recommended no further investigation for the proposed project.

2019-03475 **DOLLY ISLAND NOMINEE TRUST**

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Replace an existing 5 foot x 44 foot and 3 foot x 44 foot piling pier connected by a 15 foot x 14 foot connecting walkway with a 14 foot 5 inch x 29 foot boat house and a single three pile ice cluster, in-kind, on an average of 523 feet of shoreline frontage along Lake Winnipesaukee in Meredith.

****

APPROVE PERMIT
Replace an existing 5 foot x 44 foot and 3 foot x 44 foot piling pier connected by a 15 foot x 14 foot connecting walkway with a 14 foot 5 inch x 29 foot boat house and a single three pile ice cluster, in-kind, on an average of 523 feet of shoreline frontage along Lake Winnipesaukee in Meredith.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated October 3, 2019 and received by the NH Department of Environmental Services (NHDES) on October 31, 2019.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. To limit disturbance of nesting and fledgling eagles reported in proximity of the project, all demolition and external construction activities shall be conducted outside of the eagle breeding season February 1 - August 15.
4. No impacts to natural ground cover shall occur within the waterfront buffer, area between the reference elevation of Lake Winnipesaukee (Elevation 504.32) and 50 feet landward.
5. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
6. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
7. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
10. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
11. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
12. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.

With Findings:
1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. New Hampshire Fish and Game and US Fish and Wildlife Services specified that all construction activities shall be limited outside of eagle and fledging nesting period of February 1 - August 15. The permit has be approved with a condition that restricts all construction activities within the nesting period of February 1- August 15.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

X-PERMIT BY NOTIFICATION
****

2019-03699 **PAOLINO, JASON/NICOLE**

RINDGE LORD BROOK

Requested Action:

Dredge and fill 19,000 square feet for a maintenance dredge of man-made Lord Brook Pond.

****

PBN IS COMPLETE
Dredge and fill 19,000 square feet for a maintenance dredge of man-made Lord Brook Pond.

With Findings:
1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(k), for maintenance dredging of a man-made pond that meets the criteria in Env-Wt 303.04(k)(1) through (4).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03723 **JURKIEWICZ, CHARLES**

WAKEFIELD LOVELL LAKE

Requested Action:

Repair an existing retaining wall, in-kind, along 125 linear feet of shoreline frontage along Lovell Lake in Wakefield and in accordance with plans received by the NH Department of Environmental Resources (NHDES) on December 12, 2019.

****

PBN IS COMPLETE
Repair an existing retaining wall, in-kind, along 125 linear feet of shoreline frontage along Lovell Lake in Wakefield and in accordance with plans received by the NH Department of Environmental Resources (NHDES) on December 12, 2019.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of an existing retaining wall that results in no change in height, length, location, or configuration.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03865 **HOLMES REVOC TRUST, KATHERYN**

NEWBURY SUNAPEE LAKE

Requested Action:

Replace an existing 7 foot 1 inch x 28 foot cabana supported by three 5 foot x 5 foot 8 inch cribbing, in kind, on 130 linear feet of shoreline frontage along Sunapee Lake in Newbury and in accordance with plans by Holmes Revocable Trust received by the NH Department of Environmental Services (NHDES) on January 7, 2019.

****

PBN IS COMPLETE
Replace an existing 7 foot 1 inch x 28 foot cabana supported by three 5 foot x 5 foot 8 inch cribbing, in kind, on 130 linear feet of shoreline frontage along Sunapee Lake in Newbury and in accordance with plans by Holmes Revocable Trust received by the NH Department of Environmental Services (NHDES) on January 7, 2019.

With Findings:
1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

SHORELAND STANDARD
****

2019-03505 **O'DONNELL, DEBRA**

WAKEFIELD BELLEAU LAKE

Requested Action:

Impact 1,931 square feet of protected shoreland in order to construct an addition to an existing primary structure and install a new septic system.

****

APPROVE PERMIT
Impact 1,931 square feet of protected shoreland in order to construct an addition to an existing primary structure and install a new septic system.

With Conditions:
1. All work shall be in accordance with revised plans by Debra O'Donnell and Denise Surette revision dated December 30, 2019 and received by the NH Department of Environmental Services (NHDES) on January 7, 2020.
2. This permit is contingent on approval by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 13.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1,246 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
11. No impacts to natural ground cover shall occur within the waterfront buffer, area between the reference elevation of Belleau Lake and 50 feet landward.
12. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03510 **BRADLEY, PETER**

OSSIPEE OSSIPEE LAKE

Requested Action:

Impact 1,462 square feet of the protected shoreland in order to modify the existing structure footprint and add a second story. Project includes replacing the existing driveway with a permeable surface.

****

APPROVE AMENDMENT
Impact 1,462 square feet of the protected shoreland in order to modify the existing structure footprint and add a second story. Project includes replacing the existing driveway with a permeable surface.

With Conditions:
1. All work shall be in accordance with revised plans by Jacob Marc McConkey dated January 10, 2020 and received by the NH Department of Environmental Services (DES) on January 10, 2020.
2. No more than 28.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.
3. Native vegetation within an area of at least 580 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03568 **HENNESSEY, MICHAEL**
YORK, DONNA

DOVER BELLAMY RIVER/LITTLE BAY

Requested Action:

Impact 9,010 square feet of protected shoreland in order to remove 2 driveways to construct a primary structure with stormwater management, 2 impervious decks, and a pervious driveway.

****

APPROVE PERMIT
Impact 9,010 square feet of protected shoreland in order to remove 2 driveways to construct a primary structure with stormwater management, 2 impervious decks, and a pervious driveway.

With Conditions:
1. All work shall be in accordance with plans by Civilworks New England dated November 4, 2019 and revised December 20, 2019 as received by the NH Department of Environmental Services (NHDES) on December 31, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 17.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed roof drip edges shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. Photographs documenting the construction of the proposed roof drip edges shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03608 **NEW ENGLAND POWER COMPANY, D/B/A NATIONAL GRID**

MONROE CONNECTICUT RIVER

Requested Action:

Impact 4,530 square feet of protected shoreland in order to construct an access apron driveway for the new primary structure electrical substation and the demolision the original primary structure electrical substation.

****

Conservation Commission/Staff Comments:
This application required a filing fee. The date on which the filing fee was received, December 10, 2019, it considered to be the received date of the application and the date on which review timeframes are based.

APPROVE PERMIT
Impact 4,530 square feet of protected shoreland in order to construct an access apron driveway for the new primary structure electrical substation and the demolision the original primary structure electrical substation.

With Conditions:
1. All work shall be in accordance with plans for NATIONALGRID stamped by Baker W. Tee on September 24, 2019 and received by the NH Department of Environmental Services (NHDES) on November 15, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 30.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 10,246 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed infiltration basin shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed infiltration basin shall be submitted to the Department within 30 days of the completion of construction.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within

Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:
1. In accordance with RSA 483-B:9 III to IV certain structures may be permitted by the commissioner as necessary, consistent with the purposes of this chapter and other state law.
2. The impact to the protected shoreland area is necessary for construction of replacement electrical substation.
3. This impact area is necessary and the replacement construction of this electrical substation is consistent with the purposes of this chapter and other state law.

2019-03664 **ROWLEY, GLENN/PAULA**

WAKEFIELD LOVELL LAKE

Requested Action:

Impact 1,256 square feet of protected shoreland in order to construct a detached garage with stormwater management and a retaining wall.

****

APPROVE PERMIT
Impact 1,256 square feet of protected shoreland in order to construct a detached garage with stormwater management and a retaining wall.

With Conditions:
1. All work shall be in accordance with plans by Fox Survey Company dated November 13, 2019 and revised on December 31, 2019 as received by the NH Department of Environmental Services (NHDES) on January 2, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 24.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed dripline trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. Photographs documenting the construction of the proposed dripline trenches shall be submitted to the Department within 30 days of the completion of construction.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or

grandfathered.

2019-03714 **BOYNTON, DAVID/JENNIFER**

ALTON LAKE WINNIPESAUKEE

Requested Action:

Impact 2,622 square feet of protected shoreland in order to remove the nonconforming primary structure with deck to construct a more nearly conforming primary structure with stormwater management and a patio.

****

APPROVE PERMIT
Impact 2,622 square feet of protected shoreland in order to remove the nonconforming primary structure with deck to construct a more nearly conforming primary structure with stormwater management and a patio.

With Conditions:
1. All work shall be in accordance with plans by Varney Engineering, LLC dated November 18, 2019 and revised on December 27, 2019 as received by the NH Department of Environmental Services (NHDES) on December 30, 2019.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 10.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,693 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed drip edges shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed drip edges shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03822 **LINDSAY B PAUL REVOC TRUST**

SUNAPEE SUNAPEE LAKE

Requested Action:

Impact 2,590 square feet of protected shoreland in order to remove the attached bunkroom and garage of the non-conforming primary structure to construct an expanded attached garage with stormwater management and construct a deck and bulkhead access.

****

APPROVE PERMIT
Impact 2,590 square feet of protected shoreland in order to remove the attached bunkroom and garage of the non-conforming primary structure to construct an expanded attached garage with stormwater management and construct a deck and bulkhead access.

With Conditions:
1. All work shall be in accordance with plans by Fuss & O'Neill dated December 2, 2019 and received by the NH Department of Environmental Services (NHDES) on December 10, 2019.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 24.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 6,240 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed drip edge shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed drip edge shall be submitted to the Department within 30 days of the completion of construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03884 **JEFFREY H CROFT REVOCABLE TRUST**
ZEEMEL CROFT REVOCABLE TRUST

STRAFFORD BOW LAKE

Requested Action:

Impact 2,944 square feet of protected shoreland in order to construct a walkway with a portion of pervious steps, a patio, and a retaining wall with plantings and the screening of the area below the deck.

****

APPROVE PERMIT
Impact 2,944 square feet of protected shoreland in order to construct a walkway with a portion of pervious steps, a patio, and a retaining wall with plantings and the screening of the area below the deck.

With Conditions:
1. All work shall be in accordance with plans by Varney Engineering, LLC dated November 26, 2019 and received by the NH Department of Environmental Services (NHDES) on December 13, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 17.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 2,471 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03923 **CONTINENTAL PAVING INC**

PEMBROKE SOUCOOK RIVER

Requested Action:

Impact 37,918 square feet of protected shoreland in order to remove an area of pavement to loam and seed, construct addition onto a primary structure office building, and construct commercial primary structure with pavement and stormwater management.

****

APPROVE PERMIT
Impact 37,918 square feet of protected shoreland in order to remove an area of pavement to loam and seed, construct addition onto a primary structure office building, and construct commercial primary structure with pavement and stormwater management.

With Conditions:
1. All work shall be in accordance with plans by Nobis Group dated December 10, 2019 and received by the NH Department of Environmental Services (NHDES) on December 13, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. All construction personnel working in the project area shall be made aware of the potential presence of and identification of wood turtles, eastern hognose snakes, northern black racer snakes, and common nighthawks and are to be made aware of their protected status.
4. All observations of a wood turtles, eastern hognose snakes, northern black racer snakes, and common nighthawks seen at any time should be immediately reported to the New Hampshire Fish & Game Wildlife offices with photo documentation with date, location, and habitat type.
5. Any observation of wood turtles found laying eggs in the work area shall be reported to the New Hampshire Fish & Game Wildlife for further instructions.
6. Any area observed to have common nighthawk nesting on the ground shall be flagged and the area roped off with a 50-foot perimeter and immediately contact the New Hampshire Fish & Game Wildlife office.
8. The use of erosion control netting, whether welded plastic or biodegradable, is prohibited.
9. The use of sumps in outlet pipes in stormwater management basin outlets is prohibited.
10. Outlet control boxes with grates in stormwater management detention ponds shall not be placed adjacent to the side slopes, but as far as possible to deter animal access.
11. No more than 10.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
12. Native vegetation within an area of at least 88,098 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
13. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
14. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
15. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
16. Any fill used shall be clean sand, gravel, rock, or other suitable material.
17. The proposed infiltration basin shall be installed and maintained to effectively absorb and infiltrate stormwater.
18. Photographs documenting the construction of the proposed infiltration basin shall be submitted to the Department within 30 days of the completion of construction.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
21. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
22. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03936 **PALERMO, TIMOTHY**

WOLFEBORO CRESCENT LAKE

Requested Action:

Impact 6,825 square feet in order to reduce the width of a pathway toward the water to 6 feet wide and construct a 10 foot x 16 foot shed.

****

APPROVE PERMIT
Impact 6,825 square feet in order to reduce the width of a pathway toward the water to 6 feet wide and construct a 10 foot x 16 foot shed.

With Conditions:
1. All work shall be in accordance with plans by Ilex Wetlands Consultants dated November 2019 and received by the NH Department of Environmental Services (DES) on December 18, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 14.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 5,773 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-03963 **FRANCO, PAMELA**

BARTLETT EAST BRANCH RIVER

Requested Action:

Impact 3,853 square feet of protected shoreland in order to construct a 2 bedroom home with septic system and driveway.

****

APPROVE PERMIT
Impact 3,853 square feet of protected shoreland in order to construct a 2 bedroom home with septic system and driveway.

With Conditions:
1. All work shall be in accordance with plans by Ammonoosuc Survey Co., Inc. dated November 18, 2019 and received by the NH Department of Environmental Services (DES) on December 19, 2019.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 679 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2019-03980 **DEVORA LLC**

WOLFEBORO LAKE WINNIPESAUKEE

Requested Action:

Impact 16,423 square feet of protected shoreland in order to raze an existing house, remove an existing driveway, construct a new house, and driveway, install connections to the municipal water and sewer, construct a deck on the existing garage and perform associated regrading of the site.

****

APPROVE PERMIT
Impact 16,423 square feet of protected shoreland in order to raze an existing house, remove an existing driveway, construct a new house, and driveway, install connections to the municipal water and sewer, construct a deck on the existing garage and perform associated regrading of the site.

With Conditions:
1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated December 19, 2019 and received by the NH Department of Environmental Services (DES) on December 23, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 4,390 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

SHORELAND PBN
****

2019-03965 **FREIMAN, JONATHAN M/SANDRA L**

RINDGE CONTOOCOOK

Requested Action:

Impact 28,487 square feet of protected shoreland in order to construct a single family home with septic system and driveway.

****

APPROVE PERMIT
Impact 28,487 square feet of protected shoreland in order to construct a single family home with septic system and driveway.

With Conditions:
1. All work shall be in accordance with plans by Forest Designs dated September 12, 2019 and received by the NH Department of Environmental Services (DES) on December 20, 2019.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 21,509 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

FORESTRY SPN
****

2019-03953 **BOHM, CHARLES**

LITTLETON Unnamed Stream

****

COMPLETE NOTIFICATION
LITTLETON; TAX MAP#54; LOT# 12

2019-03955 **ATTRA, COREY**

JAFFREY Unnamed Stream

****

COMPLETE NOTIFICATION
JAFFREY; MAP# 204; LOT# 01

2019-03958 **TURNER, HANSEL**

HILLSBOROUGH Unnamed Stream

****

COMPLETE NOTIFICATION
HILLSBOROUGH; TAX MAP# 002; LOT# 32

2019-03991 **MULHOLLAND, CATHERINE**

GRAFTON Unnamed Stream

****

COMPLETE NOTIFICATION
GRAFTON; TAX MAP(S)# 7/12; LOT(S)# 1078,664/707

2019-03998 **GRAHAM IV, EDWARD & DIANE**

WOLFEBORO Unnamed Stream

****

COMPLETE NOTIFICATION
WOLFEBORO, TAX MAP# 136, LOT# 30

2020-00021 BAYROOT LLC

MILAN Unnamed Stream

****

COMPLETE NOTIFICATION
MILAN; TAX MAP# 42; LOT# 2

2020-00030 FADDEN, TOM

TUFTONBORO Unnamed Stream

****

COMPLETE NOTIFICATION
TUFTONBORO; TAX MAP# 67; LOT# 1-2

2020-00042 POTTS, JEFFREY

RICHMOND Unnamed Stream

****

COMPLETE NOTIFICATION
RICHMOND; TAX MAP# 407; LOT(S)# 24, 59

2020-00048 TOWN OF CHARLESTOWN

CHARLESTOWN Unnamed Stream

****

COMPLETE NOTIFICATION
CHARLESTOWN; TAX MAP# 229; LOT(S)# 20,21

2020-00051 O'CONNOR, KATHLEEN

NEW DURHAM Unnamed Stream

****

COMPLETE NOTIFICATION
NEW DURHAM; TAX MAP# 260; LOT# 21

2020-00052 **MORRILL HILL PROPERTIES LLC**

HENNIKER Unnamed Stream

****

COMPLETE NOTIFICATION
HENNIKER, TAX MAP# 1; LOT# 570

TRAILS SPN
****

2020-00024 **TOWN OF BOW**

BOW Unnamed Stream

****

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN
Replace and upgrade bridge.

2020-00026 **YMCA SOUTHERN DISTRICT**

KINGSTON Unnamed Stream

****

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN
Install 200 linear feet of bog bridges.

UTILITY SPN
****

2020-00016 **EVERSOURCE ENERGY**

MADBURY Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW.

2020-00017 **EVERSOURCE ENERGY**

DOVER Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW.

2020-00018 **EVERSOURCE ENERGY**

DURHAM Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW.

2020-00032 **EVERSOURCE ENERGY**

DERRY Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW. Overhead electric lines.

2020-00035 **EVERSOURCE ENERGY**

STRAFFORD Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW. Overhead electric lines.

2020-00036 **EVERSOURCE ENERGY**

ROCHESTER Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW. Overhead electric lines.

2020-00037 **EVERSOURCE ENERGY**

RAYMOND Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW. Overhead electric lines.

2020-00038 **EVERSOURCE ENERGY**

CANDIA Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW. Overhead electric lines.

2020-00040 **EVERSOURCE ENERGY**

DEERFIELD Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW. Overhead electric lines.

2020-00041 **EVERSOURCE ENERGY**

CHESTER Unnamed Stream

****

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW. Overhead electric lines.

CULVERT REPAIR AND REPLACEMENT SPN
****

2020-00046 **PRICE, DAVID**

HOPKINTON Unnamed Stream

****

COMPLETE NOTIFICATION
Replace 15" inch diameter culvert with 18" inch diameter culvert.

2020-00047 **PRICE, DAVID**

HOPKINTON Unnamed Stream

****

COMPLETE NOTIFICATION
In kind replacement of one 18" inch diameter culvert and one 12" inch diameter culvert.

2020-00049 **PRICE, DAVID**

HOPKINTON Unnamed Stream

****

COMPLETE NOTIFICATION
Replace 15" inch diameter culvert with 24" inch diameter culvert.

SMALL MOTOR MINERAL DREDGE
****

2020-00050 **SMALL, RYAN**

(ALL TOWNS) Unnamed Stream

****

COMPLETE NOTIFICATION
Small Motor Mineral Dredge